U.S. DISTRICT COURT NORTHERN DIST. OF TX FT. WORTH DIVISION

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF TEXAS FORT WORTH DIVISION

2010 JUL - 2 PM 1: 03

C JAN OF COURT

MARK DISANTI, **Plaintiff** 888888888 Vs.

Case No. 4:10-CV-287-A

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. Defendant

> ITEMS FURNISHED PURSUANT TO DIRECTIVE OF ORDER SIGNED IN THE ABOVE **CAPTIONED ACTION ON JUNE 24, 2010**

VOLUME 1 of 14

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF TEXAS FORT WORTH DIVISION

| MARK DISANTI, | § | |
|----------------------------|----------|------------------------|
| Plaintiff | § | |
| | § | |
| Vs. | § | Case No. 4:10-CV-287-A |
| | § | |
| MORTGAGE ELECTRONIC | § | |
| REGISTRATION SYSTEMS, INC. | § | |
| Defendant | § | |

TABLE OF CONTENTS FOR VOLUMES 1 - 14 FOR ITEMS FURNISHED PURSUANT TO DIRECTIVE OF ORDER SIGNED IN THE ABOVE CAPTIONED ACTION ON JUNE 24, 2010

VOLUME ONE: BATES # 1-305

Mark Disanti vs. Nationstar Mortgage, LLC Cause No. 2010-60166-393 393RD District Court, Denton County

| Original Petition | 1 |
|---|----|
| Temporary Restraining Order | 10 |
| Certificate of Cash in lieu of Bond | 10 |
| Plaintiff's Motion to Take Judicial Notice | 15 |
| Plaintiff's Supplement to Application for Temporary | 13 |
| Injunction | 18 |
| Mark Disanti vs. BAC Home Loan Servicing, LP | |
| Cause No. 1-10-610 | |
| 382 nd District Court, Rockwall County | |
| Original Petition | 25 |
| Mark Disanti vs. Mortgage Electronic Registration Systems, Inc. | |
| Cause No. 2009-10389-16 | |
| 16th District Court, Denton County | |
| Original Petition | 35 |
| Plaintiff's Motion for Default Judgment | 72 |

| Certificate of Last Known Address | |
|--|-----|
| Affidavit for Attorney Fees | 75 |
| Plea in Intervention | 76 |
| Default Judgment | 78 |
| A fiderit in G | 81 |
| Affidavit in Support of Default Judgment | 84 |
| Plaintiff's Response to First Amended Motion for New Trial | 01 |
| Order, Court of Appeals, 5 th District | 87 |
| Mortgago Electronic P. St. of | 116 |
| Mortgage Electronic Registration System | |
| Request for Clerk's Record | 117 |
| Plaintiff's Designation of Clerk's Record | 120 |
| Clerk's Record | 124 |
| Mark Disanti vs. Wells Fargo Bank, N.A. Cause No 296-05168-2007 296 th District Court, Tarrant County | |
| Original Petition | 270 |
| Answer | 270 |
| Motion for Default Judgment | 274 |
| Notice of Appearance of Counsel | 277 |
| Defendant's Motion for New Trial | 278 |
| Plaintiff's Application for Tarrage | 280 |
| Plaintiff's Application for Temporary Restraining Order and Temporary Injunction | |
| Temporary Destaring to | 288 |
| Temporary Restraining Order | 297 |

VOLUME TWO: BATES # 306 – 540

Mark DiSanti v. Wells Fargo Bank N.A. Cause No. 09-04779 95th District Court, Dallas County, Texas

| 306 |
|-----|
| 313 |
| 314 |
| 316 |
| 317 |
| 318 |
| 319 |
| 320 |
| 322 |
| 327 |
| |
| 328 |
| 332 |
| 333 |
| 336 |
| 337 |
| 347 |
| |

Mark DiSanti v. Mortgage Electronic Registration Systems Inc. Cause No. 401-05228-2009 401st District Court, Dallas County, Texas

| Original Petition | 437 |
|---|-----|
| Original Answer | 441 |
| Motion for Order Cancelling Lis Pendens | 444 |
| Order Cancelling Lis Pendens | 446 |
| Notice of Trial Setting | 448 |
| Defendant's No Evidence Motion for | |

| Summary Judgment | 452 |
|---|-------|
| Plaintiff's First Amended Petition | 457 |
| Plaintiff's Response to Defendant's No Evidence | |
| Motion for Summary Judgment | 463 |
| , | |
| Mark DiSanti v. Option One Mortgage Corporation and Wells Fargo Bank N.A. | |
| Cause No. 296-04196-2009 | |
| 296 th District Court, Collin County, Texas | |
| Original Petition | 479 |
| Order for Default Judgment | 483 |
| Defendant's Motion to Set Aside Default Judgment | 485 |
| Defendant's Original Answer | 495 |
| Motion for Default Judgment | 497 |
| | |
| Mark DiSanti v. The Bank of New York Cause No. 10-05774 | |
| 44 th District Court, Dallas County, Texas | |
| District Court, Duites Country, 100th | |
| Plaintiff's Original Petition | 503 |
| Default Judgment | 508 |
| Affidavit to Support Default Judgment | 511 |
| Certificate of Last Known Address | 514 |
| Affidavit for Attorney's Fees | 515 |
| | |
| Mark DiSanti v. Sand Canyon Corporation f/k/a Option One Mortgage Corporation | n and |
| Cathy Lee, Trustee | |
| Cause No. 401-08225-2009 | |
| 401st District Court, Collin County, Texas | |
| Plaintiff's Original Petition | 517 |
| Temporary Restraining Order | 523 |
| Order | 525 |
| Defendant's Original Answer | 526 |
| Temporary Restraining Order | 530 |
| Mark DiSanti v. Mortgage Electronic Registration Systems Inc. | |
| Cause No. 296-0958-2010 | |
| 296th District Court, Collin County, Texas | |
| Original Petition | 533 |
| Notice of Substitution of Counsel | 538 |
| Order | 540 |

VOLUME THREE: BATES # 541 – 754

Mark DiSanti v. First Bank Cause No. 09-15385 191st District Court, Dallas County, Texas

| ‡1 ‡8 |
|----------|
| tO. |
| 50 |
| 52 |
| 54 |
| |
| |

Cause No. 09-03563 162nd District Court, Dallas County, Texas

| Original Petition | 575 |
|---|-----|
| First Amended Petition | 580 |
| Original Answer | 585 |
| Motion for Temporary Restraining Order | |
| and Injunction | 589 |
| Defendant's Motion for Summary Judgment | 595 |
| First Amended Petition (w/Exhibits) | 604 |
| Order Granting Summary Judgment | 697 |
| | |

Mark DiSanti v. Mortgage Electronic Registration Systems Inc. Cause No. 2010-50041-367 367th District Court, Denton County, Texas

| Original Petition | 703 |
|------------------------------------|-----|
| Notice of Removal to Federal Court | 709 |
| Notice of Removal | 713 |

Mark DiSanti v. Option One Mortgage Company n/k/a Sand Canyon Corporation, and Russell Stockman, Trustee Cause No. 2010-60030-393 393rd District Court, Denton County, Texas **Original Petition** 718 Order 726 Temporary Restraining Order 727 Original Answer 729 Notice of Change of Address 734 Mark DiSanti v. Bank of New York as Trustee Cause No. 296-01974-2009 296th District Court, Collin County, Texas **Original Petition** 735 Motion for Default Judgment 738 Order for Default Judgment 740 Mark DiSanti v. Mortgage Chase Home Finance, LLC and Greg Bertrand, Trustee Cause No. 296-50421-367 367thth District Court, Denton County, Texas **Original Petition** 742 **Temporary Restraining Order** 748 Original Answer 750 Notice of Change of Address 754

VOLUME FOUR: BATES #755 – 1003

Mark DiSanti v. Mortgage Electronic Registration Systems Inc. Cause No. 2009-60421-393 393rd District Court, Denton County, Texas

| Original Petition | 755 |
|--|-----|
| Original Answer | 759 |
| Defendant's Motion for Summary Judgment | 762 |
| Plaintiff's Motion for Continuance and Extension | 801 |
| Plaintiff's Response to Defendant's Motion | |
| for Summary Judgment | 807 |
| Defendant's Reply Brief | 811 |

Mark DiSanti v. Mortgage Electronic Registration Systems and Bank of America N.A. Cause No. 401-5226-2009 401st District Court, Collin County, Texas

| Original Petition | 818 |
|---|-----|
| Original Answer | 822 |
| Defendant's Motion for Summary Judgment | 825 |
| Notice of Hearing | 963 |
| Order Granting Summary Judgment | 965 |

Mark DiSanti v. Mortgage Electronic Registration Systems Inc. Cause No. 2009-20389-158 158th District Court, Denton County, Texas

| Original Petition | 870 |
|-----------------------------|-----|
| Original Answer | 879 |
| Notice of Filing of Removal | 883 |
| Notice of Removal | 885 |
| Notice of Change of Address | 905 |
| | |

Mark DiSanti v. Mortgage Electronic Registration Systems Inc. Cause No. 296-04768-2009 296th District Court, Collin County, Texas

| riginal Petition | 968 |
|---|-----|
| Original Answer | 972 |
| Defendant's Motion for Summary Judgment | 977 |

Mark DiSanti v. Bank of New York Mellon Trust Company, National Association Cause No. 296-04769-2009 296th District Court, Collin County, Texas

| Original Petition | 1004 |
|--|------|
| Original Answer | 1008 |
| Temporary Restraining Order | 1013 |
| Defendant's Certificate of Written Discovery | 1014 |
| Order of Referral | 1017 |

VOLUME FIVE: BATES #1025 – 1223

Mark Disanti vs. Flagstar Bank, F.S.B. Cause No. 296-04766-2009 296th Judicial District, Collin County

| Plaintiff's Original Petition | 1025 |
|---|------|
| Defendant's Original Answer | 1030 |
| Defendant's Motion For Summary Judgment | 1032 |
| Notice of Submission | 1040 |
| Motion for Continuance | 1042 |
| Affidavit | 1044 |
| Memorandum | 1046 |
| Letter | 1048 |
| Order Granting Summary Judgment | 1049 |
| Amended Order Granting Summary Judgment | 1050 |

Mark Disanti vs. Option One Mortgage Corporation And Wells Fargo Bank, N.A. Cause No. 296-04196-2009 296th Judicial District, Collin County

| Plaintiff's Original Petition | 1051 |
|---|------|
| Defendant's Original Answer | 1055 |
| Motion For Default Judgment | 1057 |
| Affidavit Of Last Known Address | 1059 |
| Order For Default Judgment | 1060 |
| Letter | 1061 |
| Defendant's Motion To Set Aside Default Judgment And/Or For New Trial | 1062 |
| Original Petition | 1073 |
| Defendant's Original Answer | 1083 |
| Motion For Default Judgment | 1085 |
| Affidavit | 1087 |
| Deed Of Trust | 1091 |
| Planned Unit Development Rider | 1103 |

| Adjustable Rate Rider | 1105 |
|--|------|
| Assignment Of Note And Deed Of Trust | 1108 |
| Assessment Lien Deed | 1112 |
| Order For Default Judgment | 1115 |
| Notice Setting Hearing Date | 1117 |
| ! | |
| Mark Disanti vs. Argent Mortgage Company, L.L. C. Cause No. 09-13789-E | |
| 101st E Judicial District, Dallas County | |
| Plaintiff's Original Petition | 1119 |
| Plaintiff's Motion For Default Judgment | 1125 |
| Certificate Of Last Known Address | 1128 |
| Default Judgment | 1129 |
| Affidavit Of Jonathan Gitlin | 1132 |
| Affidavit Of Ken Bennett | 1134 |
| Defendant's Original Answer | 1163 |
| Mark Disanti vs. Morgtage Electronic Registration Systems, Inc., Chase Home Finance, L.L.C., and Gred Bertrand, Trustee Cause No. 296-03811-2009 296 th Judicial District, Collin County | |
| Plaintiff's Original Petition | 1165 |
| Defendant's Special Exceptions And Original Answer | 1171 |
| Defendant's Original Answer | 1174 |
| Temporary Restraining Order | 1176 |
| Defendant's Motion For Summary Judgment | 1178 |
| Plaintiff's Original Petition | 1187 |
| Affidavit of Kevin E. Johnson | 1193 |
| | |

VOLUME SIX: BATES #1224 – 1458

Mark Disanti vs. Countrywide Home Loans, Inc. Cause No. 2009-10224-16
16th Judicial District Court, Denton County

| Plaintiff's Original Petition | 1224 |
|---|------|
| Temporary Restraining Order | 1238 |
| Order | 1240 |
| Defendant's Original Answer And Request For Disclosure | 1242 |
| Defendant's Amended Answer Counterclaim And Request For Sanctions | 1245 |
| Defendant's Motion For Summary Judgment | 1248 |
| Affidavit | 1256 |
| Affidavit of Becky Howell | 1288 |
| Notice Of Hearing | 1301 |
| Order Granting Motion For Defendant's Summary Judgment | 1303 |
| Motion For New Trial And Reconsideration | 1306 |
| Affidavit | 1308 |
| Letter | 1309 |
| Notice Of Change Of Address | 1310 |
| | |

Mark Disanti vs. AAMES Funding Corporation d/b/a AAMES Home Loans
Cause No. 2009-60223-393
393 Judicial District Court, Denton County

| Plaintiff's Original Petition | 1311 |
|---|------|
| Plaintiff's First Amended Original Petition | 1315 |
| Motion For Default Judgment | 1318 |
| Order For Default Judgment | 1320 |
| Motion To Modify Order | 1323 |
| Amended Order For Default Judgment | 1324 |

Mark Disanti vs. U.S. Bank National Association

Cause No. 1-09-670 382nd Judicial District Court, Rockwall County

| Plaintiff's Original Petition | 1326 |
|--|------|
| Plaintiff's Motion For Temporary Restraining Order | 1330 |
| Temporary Restraining Order | 1333 |
| Motion For Default Judgment | 1339 |
| Affidavit Of Last Known Address | 1340 |
| Defendant's Original Answer And Request For Disclosure | 1341 |
| Defendant's Counterclaim | 1343 |
| Letter | 1348 |
| Motion For Summary Judgment | 1349 |
| Notice Of Confidentiality Rights | 1360 |
| Notice Of Assessment Lien Sale | 1369 |
| Summary Judgment | 1453 |
| Motion For New Trial And Reconsideration | 1456 |
| Affidavit | 1458 |

VOLUME SEVEN: BATES #1459 – 1692

Mark Disanti vs. W. R. Starkey Mortgage, L.L.P., HSBC Bank U.S.A., N.A.and Michael Zientz, Substitute Trustee Cause No. 017-238462-09 17th Judicial District Court, Tarrant County

| Plaintiff's Original Petition | 1459 |
|--|------|
| Temporary Restraining Order | 1466 |
| Motion For Default Judgment | 1468 |
| Motion To Enforce A Rule 11 Agreement And Dismiss With Prejudice | 1471 |
| Motion To Dismiss | 1473 |
| Order | 1474 |

Mark Disanti vs. Deutsche Bank National Trust Company, N.A. and EMC Mortgage Corporation
Cause No. 2009-50157-267
267th Judicial District Court, Denton County

| Plaintiff's Original Petition | 1476 |
|---|------|
| Defendant's Special Exceptions And Original Answer | 1481 |
| Defendant's Original Answer | 1484 |
| Plaintiff's First Amended Original Petition | 1486 |
| Motion For Voluntary Non-Suit | 1490 |
| Order For Voluntary Non-Suit | 1491 |
| Affidavit Of Mark Disanti | 1492 |
| Plaintiff's Motion For Summary Judgment | 1494 |
| Defendant's Response To Plaintiff's Motion For Summary Judgment | 1550 |
| Agreed Motion For Dismissal With Prejudice | 1557 |
| Affidavit Of Last Known Address | 1561 |
| Motion For Default Judgment | 1562 |
| Order For Default Judgment | 1563 |
| Notice Of Change Of Address | 1564 |

Mark Disanti vs. Wells Fargo Bank, N.A. Cause No. 2009-20152-158 158th Judicial District Court, Denton County

| Plaintiff's Original Petiton | 15/5 |
|--|-------|
| Motiion For Default Judgment | 1565 |
| Affidavit Of Non-Military Service | 1568 |
| Affidavit Of Last Known Address | 1569 |
| Order For Default Judgment | 1570 |
| Defendant's Motion To Set Aside Default Judgment | 1571 |
| And Motion For New Trial | |
| Affidavit | 1576 |
| | 1586 |
| Notice of Hearing First Amended Nation OCK | 1601 |
| First Amended Notice Of Hearing | 1604 |
| Agreed Order Granting Defendant's Motion To Set Aside | |
| Default Judgment And Motion For New Trial | 1607 |
| Plaintiff's First Amended Original Petition | 1609 |
| Motion For Voluntary Non-Suit | 1613 |
| Affidavit | 1614 |
| Order Of Voluntary Non-Suit | 1616 |
| Ex Parte Motion For Deposit Of Funds Into Theregistry Of The Court | 1010 |
| And For The Release Of A Purported Lien | 1618 |
| Order | 1621 |
| Order Allowing Service By Publication | |
| Motion To Allow Service By Publication | 1623 |
| Ex Parte Motion For Withdrawal Of Funds Deposited Into | 1624 |
| The Registry Of The Court | 1.60= |
| Motion For Default Judgment | 1627 |
| Notice Of Change Of Address | 1629 |
| Order For Withdrawal Of Funda From The Date of Comments | 1632 |
| Order For Withdrawal Of Funds From The Registry Of The Court | 1633 |

Mark Disanti vs. Wells Fargo Bank, N.A., And Greg Bertrand, Trustee Cause No. 2010-10031-16 16th Judicial District Court, Denton County

| Plaintiff's Original Petition Temporary Restraining Order Defendant's Original Answer And Counterclaim Order Notice Of Hearing Affidavit Affidavit Of Becky Howell Plaintiff's Response To Defendent Andrew Rooms | 1634 1644 1646 1649 1650 1659 |
|---|--|
| Plaintiff's Response To Defendant's Motion For Summary Judgment | 1679 1685 |

VOLUME EIGHT: BATES #1693 – 1952

Mark Disanti vs. Mortgage Electronic Registration Systems, Inc. Cause No.: Unfiled

Original Petition 1693

Mark Disanti vs. Mortgage Electronic Registration Systems, Inc., And First Horizon Home Loan Corporation A/K/A First Horizons Home Loans, A Division Of First Tennessee Bank Cause No. 2009-60388-393
393rd Judicial District Court, Denton County

| Original Petition | 1699 |
|---|------|
| Notice Of Hearing | 1706 |
| Defendant's Motion For Summary Judgment | 1708 |
| Defendant's Motion For Summary Judgment | 1717 |
| Affidavit | 1726 |
| Defendant's Second Amended Motion For Summary Judgment | 1733 |
| Affidavit | 1746 |
| Affidavit | 1770 |
| Defendant's Third Amended Motion For Summary Judgment | 1775 |
| Affidavit | 1788 |
| Affidavit | 1812 |
| Affidavit | 1817 |
| Plaintiff's Response To Defendant's Motion For Summary Judgment | 1819 |
| Plaintiff's Response To Defendant's Motion For Summary Judgment | 1824 |
| Defendant's First Set Of Interrogatories | 1835 |
| General Objection To Request For Production Of Documents | 1874 |
| Affidavit | 1879 |
| Affidavit | 1901 |
| Affidavit | 1906 |

VOLUME NINE: BATES #1953 – 2267

Mark Disanti vs. Long Beach Mortgage Company Cause No. 09-14936 192nd District Court, Dallas County

| Original Petition | 1953 |
|---|------|
| Defendant's First Amended Answer | 1958 |
| Defendant's Notice Of Removal | 1962 |
| Opposition To Defendant's Motion To Dismiss | 1966 |
| Proposed Scheduling Order | 1975 |
| Scheduling Order | 1977 |
| Order Granting Agreed Motion To Amend Scheduling Order | 1978 |
| Agreed Motion To Amend Scheduling Order | 1979 |
| Rule 7.1 Disclosure Statement | 1982 |
| Notice Of Entry Of Appearance And Designation Of Lead Counsel | 1984 |
| Defendant's Rule 26(a)(1) Initial Disclosures | 1988 |
| Original Petition | 1991 |
| Defendant's Wells Fargo Bank, N.A.'s Original Answer To | |
| Plaintiff's Original Petition | 1997 |
| Temporary Restraining Order | 2004 |
| Motion For Substitution Of Counsel | 2006 |
| Order Granting Motion For Substitution Of Counsel | 2009 |
| | |

VOLUME TEN: BATES #2268 – 2422

Mark Disanti vs. JPMorgan Chase et. al. Cause No. 2009-40421-362 362nd District Court, Denton County

| Original Petition | 2268 |
|---|------|
| Temporary Restraining Order | 2280 |
| Defendant's Original Answer | 2292 |
| Defendant's Original Answer (Trustee) | 2296 |
| Defendant's Original Answer | 2300 |
| Order Granting Summary Judgment | 2338 |
| Motion for Summary Judgment | 2339 |
| Response to Motion for Summary Judgment | 2347 |
| Affidavit | 2351 |
| Order on Motion for Substitution | 2395 |
| Motion for Substitution | 2400 |
| Notice of Withdrawal of Answer | 2402 |
| Trustee's Motion to Dismiss | 2404 |
| Order Granting Motion to Dismiss | 2411 |
| | |

VOLUME ELEVEN: BATES #2423 – 2729

Mark Disanti vs. New Century Mortgage Corporation Cause No. 296-05166-2009 296th District Court Collin County

| 2423 |
|------|
| 2433 |
| 2437 |
| 2462 |
| 2466 |
| 2471 |
| 2472 |
| 2503 |
| 2545 |
| 2547 |
| 2552 |
| |

VOLUME TWELVE: BATES #2730 – 2953

Mark Disanti vs. Mortgage Electronic Registration System Cause No. 2009-50278-367 367th District Court, Denton County

| PLAINTIFF'S ORIGINAL PETITION | 2730 |
|---|------|
| CERTIFICATE OF LAST KNOWN ADDRESS | 2736 |
| MOTION FOR DEFAULT JUDGMENT | 2737 |
| DEFAULT JUDGMENT | 2740 |
| AFFIDAVIT OF JOHN A. MURPHY | 2743 |
| AFFIDAVIT OF WILLIAM C. HULTMAN | 2746 |
| DEFENDANT'S VERIFIED MOTION TO SER ASIDE DEFAULT | 2750 |
| JUDGMENT AND FOR NEW TRIAL | |
| DEFENDANT'S VERIFIED MOTION TO SET ASIDE DEFAULT | 2760 |
| JUDGMENT AND FOR NEW TRIAL | |
| PLEA IN INTERVENTION | 2770 |
| ORDER GRANTING DEFENDANT MORTGAGE ELECTRONIC | 2774 |
| REGISTRATION SYSTEMS, INC.'S VERIFIED MOTION TO SET ASIDE | |
| DEFAULT JUDGMENT AND MOTION FOR NEW TRIAL | |
| DEFENDANT'S REPLY TO PLAINTIFF'S RESPONSE TO | 2776 |
| DEFENDANT'S VERIFIED MOTION TO SET ASIDE DEFAULT | |
| JUDGMENT AND FOR NEW TRIAL | |
| ORDER GRANTING DEFENDANT MORTGAGE ELECTRONIC | 2783 |
| REGISTRATION SYSTEMS, INC.'S VERIFIED MOTION TO SET ASIDE | |
| DEFAULT JUDGMENT AND MOTION FOR NEW TRIAL | |
| DEFENDANT'S ORIGINAL ANSWER AND COUNTERCLAIMS | 2785 |
| AFFIDAVIT OF JOHN A. MURPHY | 2793 |
| EXHIBIT 1 | 2796 |
| AFFIDAVIT OF WILLIAM C. HULTMAN | 2797 |
| AFFIDAVIT FOR ATTORNEY'S FEES | 2801 |
| AFFIDAVIT TO SUPPORT DEFAULT JUDGMENT | 2803 |
| PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT (ONLY PAGE 1) | 2806 |
| ORDER GRANTING DEFENDANT MORTGAGE ELECTRONIC | 2807 |
| | |

| REGISTRATION SYSTEMS, INC.'S VERIFIED MOTION TO SET ASIDE | |
|---|-------|
| DEFAULT JUDGMENT AND MOTION FOR NEW TRIAL | |
| PLAINTIFF'S RESPONSE TO DEFENDANT'S VERIFIED MOTION TO | 2809 |
| SET ASIDE DEFAULT JUDGMENT AND FOR NEW TRIAL | |
| AFFIDAVIT OF M. DREW SIEGEL | 2822 |
| EXHIBIT MDS-1 | 2824 |
| EXHIBIT MDS-2 | 2826 |
| ORDER ON PLAINTIFF'S OBJECTIONS TO AFFIDAVITS IN | 2830 |
| DEFENDANT'S VERIFIED MOTION TO SET ASIDE DEFAULT | |
| JUDGMENT AND FOR NEW TRIAL | |
| PLAINTIFF'S RESPONSE TO DEFENDANT'S VERIFIED MOTION TO | 2839 |
| SET ASIDE DEFAULT JUDGMENT AND FOR NEW TRIAL | |
| AFFIDAVIT OF M. DREW SIEGEL | 2852 |
| EXHIBIT MDS-1 | 2855 |
| EXHIBIT MDS-2 | 2856 |
| THE TERWIN MORTGAGE TRUST, SERIES TMTS 2005-6HE, WITHOUT RECOUNTY. MARK DISANTI AND ALL OTHER OCCUPANTS CAUSE NO. CV1-10-5705 PRECINCT 1, POSITION 1, JUSTICE OF THE PEACE, ROCKWALL COUNTY | , RSL |
| CITATION EVICTION JUSTICE COURT PRECINCT ONE | 2860 |
| COMPLAINT FOR FORCIBLE DETAINER AND ORIGINAL PETITION | 2861 |
| VERIFICATION | 2864 |
| LOAN RELATED DOCUMENTS | 2866 |
| TEMPORARY RESTRAINING ORDER | 2931 |
| MARK DISANTI VS. U.S. BANK NATIONAL ASSOCIATION CAUSE NO. 1-09-670 | |
| 382ND JUDICIAL DISTRICT, ROCKWALL COUNTY | |
| TEMPORARY RESTRAINING ORDER | 2932 |
| PLAINTIFF'S ORIGINAL PETITION FOR DECLARATORY JUDGMENT | 2934 |
| DEFENDANT'S ORIGINAL ANSWER AND REQUEST FOR | 2938 |
| DISCLOSURE | |
| FILING LETTER FOR AMENDED NOTICE OF ORAL HEARING | 2940 |
| AMENDED NOTICE OF ORAL HEARING | 2941 |
| U.S. NATIONAL BANK'S MOTION FOR SUMMARY JUDGMENT | 2942 |
| HOMEOWNERS ASSOCIATION RELATED DOCUMENTS | 2951 |

VOLUME THIRTEEN: BATES #2954 – 3129

MARK DISANTI VS. MORTGAGE ELECTRONIC REGISTRATION SYSTEM, INC. CAUSE NO. 2009-60421-393 393RD JUDICIAL DISTRICT, ROCKWALL COUNTY

| PLAINTIFF'S ORIGINAL PETITION FOR DECLARATORY JUDGMENT | 2954 |
|--|------|
| CITATION BY CERTIFIED MAIL | 2958 |
| DEFENDANT'S ANSWER, COUNTERCLAIM AND REQUEST FOR | 2962 |
| SANCTIONS | |
| NOTICE OF HEARING | 2965 |
| DEFENDANT'S MOTION FOR SUMMARY JUDGMENT | 2966 |
| AFFIDAVIT OF WELLS FARGO BANK N.A. (EXHIBIT A) | 2974 |
| EXHIBIT A-1 | 2977 |
| EXHIBIT A-2 | 2979 |
| EXHIBIT A-3 | 2991 |
| AFFIDAVIT OF BECKY HOWELL (EXHIBIT-B) | 2994 |
| EXHIBIT B-1 | 2997 |
| EXHIBIT B-2 | 2998 |
| EXHIBIT C | 3001 |
| NOTICE OF CHANGE OF ADDRESS | 3003 |
| | |

MARK DISANTI VS. MORTGAGE ELECTRONIC REGISTRATION SYSTEM, INC. AND SUNTRUST MORTGAGE, INC. CAUSE NO. 2009-10422-16

16TH JUDICIAL DISTRICT, DENTON COUNTY

| FIRST AMENDED ORIGINAL PETITION | 3004 |
|--|------|
| MOTION FOR SUBSTITUTION OF COUNSEL | 3008 |
| ORDER ON MOTION FOR SUBSTITUTION OF COUNSEL | 3010 |
| LOAN RELATED DOCUMENTS | 3011 |
| REGISTER OF ACTIONS | 3020 |
| PLAINTIFF'S ORIGINAL PETITION FOR DECLARATORY JUDGMENT | 3021 |
| CITATION BY CERTIFIED MAIL | 3025 |
| | |

| DENTON COUNTY DOCUMENT RECORDS REQUEST | 3029 |
|---|------|
| DEFENDANT'S SPECIAL EXCEPTION AND ORIGINAL VERIFIED | 3027 |
| ANSWER ANSWER | 3031 |
| NOTICE OF ORAL HEARING | 3034 |
| NOTICE OF CHANGE OF ADDRESS | 3036 |
| DEPUTY REPORTER STATEMENT | |
| | 3037 |
| MOTION TO DISMISS | 3038 |
| NOTICE OF ORAL HEARING | 3040 |
| | 3040 |
| AMENDED MOTION FOR CONTINUANCE OF HEARING ON | 3042 |
| DEFENDANT'S MOTION TO DISMISS | |
| | |
| | |

MARK DISANTI VS. ARGENT MORTGAGE COMPANY CAUSE NO. 09-05743 14^{TH JUDICIAL} DISTRICT, DALLAS COUNTY

| PLAINTIFF'S ORIGINAL PETITION FOR DECLARATORY JUDGMENT | 3045 |
|---|------|
| PLAINTIFF'S FIRST AMENDED ORIGINAL PETITION FOR | 3052 |
| DECLARATORY JUDGMENT | 5052 |
| MOTION FOR TEMPORARY RESTRAINING ORDER AND FOR | 3061 |
| INJUNCTIVE RELIEF | 5001 |
| AFFIDAVIT IN SUPPORT OF PLAINTIFF'S FIRST AMENDED MOTION | 3066 |
| FOR TEMPORARY RESTRAINING ORDER AND FOR INJUNCTIVE | 5000 |
| RELIEF | |
| FIRST AMENDED MOTION FOR TEMPORARY RESTRAINING ORDER | 3068 |
| AND FOR INJUNCTIVE RELIEF | 5000 |
| PLAINTIFF'S AMENDED ORIGINAL PETITION FOR DECLARATORY | 3074 |
| JUDGMENT | 5071 |
| TEMPORARY RESTRAINING ORDER | 3079 |
| DEFENDANT'S ORIGINAL ANSWER AND REQUEST FOR | 3087 |
| DISCLOSURES | 2007 |
| ORIGINAL ANSWER OF DEFENDANT, SHELLY ORTANALI | 3117 |
| DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEES | 3120 |
| ORIGINAL ANSWER | |
| RANDALL B. CLARK & CODILIS & STAWIARSKI, P.C.'S MOTION TO | 3123 |
| WITHDRAW | |
| UNIFORM SCHEDULING ORDER (LEVEL 1 OR 2)(REVISED JUNE 1, | 3127 |
| 2001) | · |
| NOTICE OF CHANGE OF ADDRESS | 3129 |
| | |

VOLUME FOURTEEN: BATES #3130 – END

| MARK DIS | SANTI VS. DEUTSCHE BANK NATION TRUST COMPANY, A/K/A | DEUTSCHE |
|------------------------|---|-----------|
| BANK TRU | UST COMPANY, N.A., TRUSTEE AND FIRST FRANKLIN FINAN | CIAI CORP |
| CAUSE NO | <i>9. 09-15252</i> | CHIL COM. |
| 134 TH JUDI | ICIAL DISTRICT, ROCKWALL COUNTY | |

| PLAINTIFF'S ORIGINAL PETITION | 3130 |
|--|------|
| MARK DISANTI VS. MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, CAUSE NO. 2010-30041-211 211 TH JUDICIAL DISTRICT, ROCKWALL COUNTY | INC. |
| PLAINTIFF'S ORIGINAL PETITION | 3137 |
| DEFENDANTS MORTGAGE ELECTRONIC REGISTRATION SYSTEMS. | 3143 |
| INC. AND NATIONSTAR MORTGAGE, LLC'S ORIGINAL ANSWER LOAN RELATED DOCUMENTS | 3145 |
| MARK DISANTI VS. II S. RANK NATIONAL ASSOCIATION | |

MARK DISANTI VS. U.S. BANK NATIONAL ASSOCIATION CAUSE NO. 09-15251 193RD JUDICIAL DISTRICT, DALLAS COUNTY

| PLAINTIFF'S ORIGINAL PETITION | 3171 |
|---|------|
| PLAINTIFF'S FIRST AMENDED ORIGINAL PETITION | 3177 |

MARK DISANTI VS. MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AND NATIONSTAR MORTGAGE, LLC CAUSE NO. 2010-40041-362
362ND JUDICIAL DISTRICT, ROCKWALL COUNTY

PLAINTIFF'S FIRST AMENDED PETITION AND APPLICATION FOR TEMPORARY RESTRAINING ORDER AND TEMPORARY

| INJUNCTION | |
|--|------|
| TEMPORARY RESTRAINING ORDER | 3193 |
| CERTIFICATE OF CASH IN LIEU OF BOND FOR RESTRAINING | 3195 |
| ORDER &/OR INJUNCTION | |
| PLAINTIFF'S NOTICE OF NON-SUIT AGAINST DEFENDANT | 3199 |
| MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. | |
| CITATION PERSONAL SERVICE | 3200 |
| PLAINTIFF'S FIRST AMENDED PETITION AND APPLICATION FOR | 3202 |
| TEMPORARY RESTRAINING ORDER AND TEMPORARY | 3202 |
| INJUNCTION | |
| DEFENDANT'S ORIGINAL ANSWER | 3213 |
| DEFENDANT'S ORIGINAL ANSWER | 3215 |
| ORDER EXTENDING TEMPORARY RESTRAINING ORDER | 3217 |
| TEMPORARY RESTRAINING ORDER | 3217 |
| SERVICE DOCUMENTS | 3219 |
| PLAINTIFF'S FIRST AMENDED PETITION AND APPLICATION FOR | 3231 |
| TEMPORARY RESTRAINING ORDER AND TEMPORARY | 3431 |
| INJUNCTION | |
| TEMPORARY RESTRAINING ORDER | 3242 |
| CERTIFICATTE OF CASH IN LIEU OF BOND FOR RESTRAINING | 3244 |
| ORDER AND/OR INJUNCTION | 3444 |
| MARK DISANTI VS. LONG BEACH MORTGAGE COMPANY CAUSE NO. 09-14936 192 ND -K JUDICIAL DISTRICT, DALLAS COUNTY | |
| PLAINTIFF'S ORIGINAL PETITION | 3246 |
| DEFENDANT'S NOTICE OF REMOVAL | 3252 |
| INDEX (EXHIBIT A) | 3257 |
| PLAINITIFF'S ORIGINAL PETITION (EXHIBIT C-1) | 3260 |
| DEFENDANT'S ORIGINAL ANSWER (EXHIBIT C-3) | 3265 |
| DEFENDINAT'S FIRST AMENDED ANSWER (EXHIBIT C-4) | 3268 |
| RULE 7.1 DISCLOSURE STATEMENT | 3271 |
| NOTICE OF FILING NOTICE OF REMOVAL | 3273 |
| MARK DISANTI VS. MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, IN MORTGAGE COMPANY, LTD. AND GREG BERTRAND, KEITH SMILEY AND/OTERRY ROSS, SUBSTITUTE TRUSTEE CAUSE NO. 2009-60324-393 393 RD JUDICIAL DISTRICT, DENTON COUNTY | - |
| 575 SODICIAL DISTRICT, DENTUN COUNTT | |
| PLAINTIFF'S ORIGINAL PETITION AND APPLICATION FOR | 3275 |
| TEMPORARY RESTRAINING ORDER AND TEMPORARY | |
| INJUNCTION | |
| PLAINTIFF'S ORIGINAL PETITION AND APPLICATION FOR | 3285 |
| TEMPORARY RESTRAINING ORDER AND TEMPORARY | |

| INJUNCTION | |
|--|------|
| PLAINTIFF'S ORIGINAL PETITION AND APPLICATION FOR | 3295 |
| TEMPORARY RESTRAINING ORDER AND TEMPORARY | |
| INJUNCTION | |
| TEMPORARY RESTRAINING ORDER | 3305 |
| LOAN RELATED DOCUMENTS | 3307 |
| CERTIFICATE OF LAST KNOWN ADDRESS | 3310 |
| AFFIDAVIT FOR ATTORNEY'S FEES | 3311 |
| PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT | 3313 |
| DEFAULT JUDGMENT | 3316 |
| AFFIDAVIT TO SUPPORT DEFAULT JUDGMENT | 3319 |
| LOAN RELATED DOCUMENTS | 3322 |
| PLAINTIFF MARK DISANTI'S NOTICE OF NON-SUIT WITHOUT | 3328 |
| PREJUDICE AS TO DHI MORTGAGE COMPANY, LTD. AND GREG | |
| BERTRAND, KEITH SMILEY AND/OR TERRY ROSS, SUBSTITUTE | |
| TRUSTEE | |
| PLAINTIFF MARK DISANTI'S NOTICE OF NON-SUIT WITHOUT | 3330 |
| PREJUDICE AS TO DHI MORTGAGE COMPANY, LTD. AND GREG | |
| BERTRAND, KEITH SMILEY AND/OR TERRY ROSS, SUBSTITUTE | |
| TRUSTEE | |
| PLAINTIFF MARK DISANTI'S NOTICE OF NON-SUIT WITHOUT | 3332 |
| PREJUDICE AS TO DHI MORTGAGE COMPANY, LTD. AND GREG | |
| BERTRAND, KEITH SMILEY AND/OR TERRY ROSS, SUBSTITUTE | |
| TRUSTEE | |
| TEMPORARY RESTRAINING ORDER | 3334 |
| TEMPORARY RESTRAINING ORDER | 3336 |
| MARK DISANTI VS. MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, I | NC. |
| CAUSE NO. 2010-50041-367 | |
| 367 TH JUDICIAL DISTRICT, DENTON COUNTY | |
| PLAINTIFF'S ORIGINAL PETITION | 3338 |
| MARK DISANTI VS. MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, I | NC. |
| CAUSE NO. 141-244555-10 | |
| 141 ST JUDICIAL DISTRICT, TARRANT COUNTY | |
| | |

PLAINTIFF'S ORIGINAL PETITION

3344

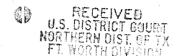
Kenneth S. Harter State Bar ID 09155300 1620 E. Beltline Rd. Carrollton, TX 75006 (972) 242-8887 Fax (972) 446-7976

Certificate of Service

I hereby certify that a true and correct copy of the foregoing was served on all counsel of record in accordance with the Federal Rules of Civil Procedure, on this the 2ND day of July, 2010.

Kenneth S. Harter

LAW OFFICES OF



KENNETH S. HARTER* 2010 JUL -2 PM 1: 03

*Member - State Bar of California

*Member + State Bar of Texas

1620 E. Beltline Rd. Carrollton, Texas 75006 (972) 242-8887 Fax (972) 446-7976 kenharter@tx.rr.com

July 2, 2010

Clerk, U. S. District Court 501 W. 10th St. Fort Worth, Tx. 76102

Re:

Mark Disanti vs. Mortgage Electronic Registration Systems, Inc.

No. 4:10-CV-00287

Dear Clerk:

Enclosed please find the materials Judge McBryde has ordered us to produce to him in this case. These are in 14 bound volumes. I am also enclosing a master index for these 14 bound volumes. Please advise the Court that the bindery neglected to include the master Table of Contents in the first volume. Accordingly, I have inserted it therein and am providing it to you separately under this cover.

In addition, please find the original and 3 copies of my "Response and Objection" to be filed in this case. Please return the file stamped copy of this document to me.

Thank you for your assistance in this matter.

Sincerely,

OFFICES OF KENNETH S. HARTER

apneth S. Harter

KSH/pq encl

cc: Crouch & Ramey